

REMARKS/ARGUMENTS

Claims 1-6 and new claims 7-20 are now in this application. Claims 1-6 are rejected and are amended herein to clarify the invention, to broaden language as deemed appropriate and to address matters of form unrelated to substantive patentability issues.

Specification

The Abstract is amended to be less than 150 words and to be in better compliance with U.S. practice. The specification is also amended to correct typographical and grammatical errors and inconsistencies. No new matter is introduced by the changes to the specification and Abstract.

Claim Rejection - 35 U.S.C. §112

Claim 3 is amended to remove the phrase “the extending direction” and thereby overcome the Examiner’s rejection of the claim under 35 U.S.C. §112, second paragraph.

Claim Rejection - 35 U.S.C. §103

Claims 1 and 4-6 are rejected under 35 U.S.C. §103(a) as being unpatentable over the Hair, III reference (U.S. Pat. No. 5,802,439) in view of the Hoeting et al. reference (U.S. Pat. No. 6,095,891).

The Examiner’s rejection is respectfully traversed in view of amended claim 1.

Claim 1 is amended to specify that the flywheel is integrally incorporated into the rear wheel such that it rotates at the same speed as the rear wheel. As shown in Fig. 2, the flywheel 23 may be arranged around a wheel rim 22a with a tire 22 being arranged around the wheel rim 22a and flywheel 23 or as shown in Fig. 4, the flywheel 51 may constitute the entire wheel rim with a tire 50a being arranged around it. Thus, in both embodiments, the flywheel is integrally incorporated into the rear wheel and integrally connected to the wheel rim, when present, and the tire. With this structure, the flywheel aids the stability of the main body by rotating at the same speed as the rear wheel (see the specification at page 12, lines 9-12).

The cited prior art does not disclose a flywheel integrally incorporated into to a rear wheel to rotate at the same speed thereof.

Hair, III describes a remote controlled toy motorcycle and does not include any flywheel connected to the rear wheel.

Hoeting et al. describes a toy vehicle 10 including a flywheel 110 housed within the rear wheel 30 and which is designed to rotate at a rotational speed which is different than the rotational speed of the rear wheel, i.e., at a rotational speed which is “substantially faster” than the rotational speed of the rear wheel (see col. 9, lines 2-10). Thus the flywheel 110 is connected to the other structure of the rear wheel 30 (described at col. 9, lines 2-25) in order to

intentionally rotatable relative to the rear wheel 30 and thereby aid in stabilizing the toy vehicle 10.

Thus, in contrast to the invention, the flywheel 110 in the Hoeting et al. toy vehicle is not integrally incorporated into rear wheel in order to rotate at the same speed as the rear wheel.

Moreover, with respect to claims 5 and 6, the flywheel in Hoeting et al. is not arranged between and in contact with an outer periphery of a wheel rim and an inner side of a tire and does not comprise an entire wheel rim.

In view of the absence of the disclosure of a flywheel integrally incorporated into a rear wheel to rotate at the same speed thereof in Hair, III and Hoeting et al., one skilled in the art could not combine these references and arrive at the embodiments of the invention set forth in claims 1 and 4-6.

In view of the changes to claim 1 and the arguments presented above, it is respectfully submitted that the Examiner's rejection of claims 1 and 4-6 under 35 U.S.C. §103 as being unpatentable over Hair, III in view of Hoeting et al. has been overcome and should be removed.

Claims 2 and 3 are rejected under 35 U.S.C. §103(a) as being unpatentable over the Hair, III reference in view of the Hoeting et al. reference and further in view of the Tilbor et al. reference (U.S. Pat. No. 6,482,069).

As noted above, claim 1 is amended to specify that the flywheel is integrally incorporated into the rear wheel such that it rotates at the same speed as the rear wheel.

Tilbor et al. does not describe a flywheel integrally incorporated into the rear wheel as now set forth in claim 1 and therefore does not overcome the deficiencies of the combination of Hair, III and Hoeting et al. As such, one skilled in the art could not combine these references and arrive at the embodiments of the invention set forth in claims 2 and 3, which necessarily include all of the features of claim 1.

In view of the foregoing, it is respectfully submitted that the Examiner's rejection of claims 2 and 3 under 35 U.S.C. §103 as being unpatentable over Hair, III in view of Hoeting et al. and Tilbor et al. has been overcome and should be removed.

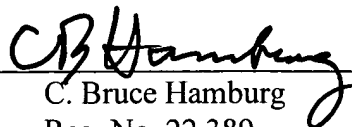
New Claims

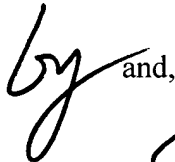
Claims 7-20 have been added and are directed to other features of the invention, including features removed from claims 1-6. The features of these claims are set forth in the specification as originally filed. Thus, no new matter is introduced by the presentation of new claims 7-20.

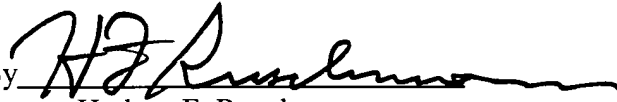
In light of the foregoing, the application is now believed to be in proper form for allowance of all claims and notice to that effect is earnestly solicited. Please charge any deficiency or credit any overpayment to Deposit Account No. 10-1250.

Respectfully submitted,

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